

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA**

FREEMAN ALLEN FELDER,

Plaintiff,

v.

H. MACIAS, et al.,

Defendants.

No. 2:20-CV-0266-WBS-DMC-P

**ORDER**

Plaintiff, a prisoner proceeding with retained counsel, brings this civil rights action pursuant to 42 U.S.C. § 1983. Pending before the Court is Plaintiff's motion, ECF No. 36, to compel discovery of Defendants' personnel files. Defendants have filed an opposition, ECF No. 37.

Plaintiff argues that the Court should direct Defendants, who are correctional officers, to disclose information contained within their various personnel files. As Defendants note in their opposition, Plaintiff has not served such discovery requests on Defendants. As such, Plaintiff's motion is premature as there is no discovery request and objection thereto at issue to which the Court can compel responses and/or production of records.

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1                   Accordingly, IT IS HEREBY ORDERED that Plaintiff's motion to compel, ECF  
2 No. 36, is denied, without prejudice to a subsequent request, as appropriate during the course of  
3 discovery.

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5 Dated: June 5, 2023

A handwritten signature in dark ink, appearing to read 'Dennis M. Cota', written over a horizontal line.

DENNIS M. COTA  
UNITED STATES MAGISTRATE JUDGE